

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONOVAN DUARTE,

Defendant.

2:10-CR-531-ECR (GWF)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on July 8, 2011, defendant DONOVAN DUARTE pled guilty to Counts One, Two and Four of a Four-Count Criminal Indictment charging him in Counts One, Two and Four with Felon in Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

This Court finds defendant DONOVAN DUARTE agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Indictment and in the Plea Memorandum. Docket #1.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Indictment and in the Plea Memorandum and the offenses to which defendant DONOVAN DUARTE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

...

- a. one (1) Colt 1911 .45 ACP handgun, bearing serial number 70SC34259;
- b. one (1) Remington model 870TB 12 gauge shotgun, bearing serial number 106694V;
- c. one (1) AMT .380 semi-automatic pistol, bearing serial number G16372; and
- d. any and all ammunition ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of DONOVAN DUARTE in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

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1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 Nevada State Bar No. 1925
6 Lloyd D. George United States Courthouse
7 333 Las Vegas Boulevard South, Suite 5000
8 Las Vegas, Nevada 89101

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
10 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
11 following publication of notice of seizure and intent to administratively forfeit the above-described
12 property.

13 DATED this 8 day of July, 2011.

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16 UNITED STATES DISTRICT JUDGE
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